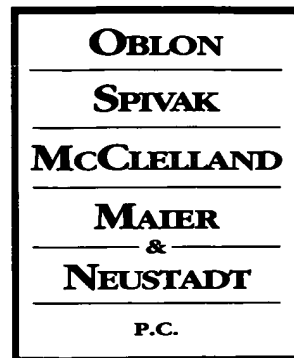




RECEIVED
DEC 27 2001
TC 1700



Docket No. 1247-0851-6V

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, DC 20231

ATTORNEYS AT LAW

GREGORY J. MAIER
(703) 413-3000
GMAIER@OBLON.COM

ROBERT T. POUS
(703) 413-3000
RPOUS@OBLON.COM

Re: U.S. Application
Serial No: 09/498,363
Filed: FEBRUARY 4, 2000
Applicant: YVES NAOUMENKO ET AL
Title: LAMINATED GLAZING WITH HIGH...

SIR:

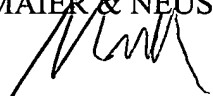
Attached hereto for filing are the following papers:

REQUEST FOR RECONSIDERATION

Our check in the amount of \$ 0.00 is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 CFR 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. A duplicate of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.


Gregory J. Maier
Registration No. 25,599
Robert T. Pous
Registration No. 29,099
Attorneys of Record



22850

1247-0851-6V



#12
1227-01
R

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF: :
YVES NAOUMENKO ET AL. : EXAMINER: FERGUSON, L.
SERIAL NO: 09/498,363 :
FILED: FEBRUARY 4, 2000 : GROUP ART UNIT: 1774
FOR: LAMINATED GLAZING WITH HIGH
CRASH TEST RESISTANCE

REQUEST FOR RECONSIDERATION

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

RECEIVED
DEC 27 2001
TC 1700

SIR:

In response to the Office Action dated September 26, 2001, Applicants request the reconsideration of the rejection of Claims 1-7 and 10-19, for the reasons set forth below.

According to a feature of the invention set forth in the claims, a laminated glazing can comprise first and second sheets, in which the first sheet is offset in relation to the second sheet to form an exposed edge portion of the first sheet. This presents a peripheral thinning of the glazing, which allows it to be installed flush in a body contoured for flush installation of a monolithic sheet of glass, but results in inferior crash test resistance when the vehicle strikes an obstacle under standardized conditions (page 2, lines 5-12). According to a feature of the invention, the strength of the glazing is enhanced by extending the intercalated adhesive layer, binding the second sheet to the first sheet, such that the intercalated adhesive layer extends over a portion of at least the exposed edge portion of the first sheet, and at least partially covering the intercalated adhesive layer at the exposed edge by an intermediate element. The cement element that secures the glazing to the body is then at least partially

adhered to the intermediate element. For example, as illustrated in the non-limiting embodiment of the figures, the intermediate element 4 covers the exposed portion of the intercalated adhesive layer 3, and the cement element 6 which secures the glazing to the body is at least partially adhered to the intermediate element 4. This permits reinforcing the connection of the glazing to the frame, in particular in shock situations (page 3, lines 4-5).

The Examiner has rejected Claims 1-7 and 10-19 as being obvious over the newly cited U.S. patent to DePaoli in view of the U.S. patent to Rothe et al, of record. However, Applicants respectfully submit that the claims define over any combination of these references.

DePaoli discloses a glazing useful for aircraft windows wherein rigid glass sheets 18 and 19 are connected by interlayers 24-26. All of these layers have essentially the same dimensions, and so there is no "exposed edge portion" between these layers. The glass sheet 17, on the other hand, is adhered to the glass sheet 18 by interlayers 22 and 23, and has a smaller dimension than the glass sheet 18, thereby forming an exposed edge portion of the glass sheet 18.

DePaoli thus discloses a laminated glazing possessing an exposed edge portion. However, the similarities between DePaoli and the claimed invention here end. DePaoli lacks any description of the intercalated adhesive layer binding the sheets extending over at least a portion of the exposed edge portion. Rather, Figure 4 of DePaoli clearly shows that the interlayers 22 and 23 do not extend onto the exposed edge portion. In the same way, DePaoli lacks the claimed intermediate element at least partially covering the (nonexistent) intercalated adhesive layer at the exposed edge. Presumably, a cement element may be used to adhere the laminated glazing of DePaoli to a vehicle body, but there is no disclosure that such a cement element would cover the (nonexistent) intermediate element.

The Examiner states, at the bottom of page 2 of the Office Action, that the "reference [DePaoli] teaches that an adhesive may be added to the interlayer to cause adhesion to the rigid sheets (column 3, lines 58-60)." However, this is incorrect, lines 58-60 of column 3 do not teach that "an adhesive may be added to the interlayer to cause adhesion to the rigid sheets." Rather, lines 58-60 of column 3 merely describe that the power lead in strips may be "adhesive to the rigid sheet," i.e., adhered to the rigid sheet. This is shown in Figure 4 of the reference wherein the power lead in 28 is adhered to the rigid sheet 18. This does not suggest that the interlayers 22 and 23 should extend over a portion of the exposed edge portion, nor does it suggest an intermediate element at least partially covering the nonexistent extension of the layers 22 and 23, or that the cement element should be at least partially adhered to the nonexistent intermediate element. That is, DePaoli is completely lacking in the idea that the glazing may be strengthened by the use of an intermediate element cooperating with an extended portion of an intercalated adhesive layer extending at least partially onto the exposed edge portion.

The Examiner has alleged that the Rothe et al reference "teaches the benefit of adding cement to a laminated glazing having glass panes for improvement of water tightness," and that it would have been "obvious to use the intermediate elements in Rothe et al in place of those used by DePaoli." However, this combination is flawed for a variety of reasons.

First, as to the Examiner's allegation that it would have been obvious "to use the intermediate elements of Rothe et al in place of those used by DePaoli," as has already been described, there is no description whatsoever in DePaoli of an intermediate element at least partially covering an intercalated adhesive layer at an exposed edge. Indeed, while the Examiner has referred back, at the bottom of page 3 of the Office Action, to an intermediate

element in DePaoli, the Examiner has not alleged the presence of such an intermediate element in the description of DePaoli (last paragraph of page 2).

Nor does Rothe et al possess an "intermediate element at least partially covering [an] intercalated adhesive layer at [an] exposed edge." The Examiner does not explicitly describe which portion of Rothe et al constitutes the alleged "intermediate element," but it is noted that neither of the elements 4 and 5 mounted on the glass body 1 in Rothe et al at least partially covers an intercalated adhesive layer which binds the sheets of the glazing. Thus, Rothe et al also lacks an intermediate element meeting the requirement of the intermediate element of Claim 1, and so the cement elements of Rothe et al are not adhered to an intermediate element at least partially covering an intercalated adhesive layer, and so Rothe et al cannot supply any of these necessary teachings which are missing from DePaoli.

In summary, DePaoli teaches only a laminated glazing possessing an exposed edge portion. It does not teach an intercalated adhesive layer extending at least partially over this exposed edge portion, nor does it teach an intermediate element at least partially covering the intercalated adhesive layer at the exposed edge, or a cement element which is at least partially adhered to the intermediate element at least partially covering an intercalated adhesive layer at an exposed edge. Rothe et al similarly does not supply the missing teachings of DePaoli. The "intermediate elements" 4 and 5 of this reference do not at least partially cover an intercalated adhesive layer binding first and second sheets of the glazing, and the cement elements of this reference do not at least partially adhere to the (nonexistent) intermediate element at least partially covering an intercalated adhesive layer. The claims therefore clearly define over any combination of these references.

Claims 3-18 recite features of the intermediate element, none of which is taught by DePaoli or Rothe et al. For example, Claim 14 recites that the intermediate element is

formed of either aluminum or stainless steel. The Examiner has alleged that Rothe et al teaches the use of these materials at lines 1-6 of column 11. However, this portion of column 11 of Rothe et al merely describes that the "other material" can be any metal or metal alloy. The "other material" is defined at lines 1-2 of column 11 as being the element to which the glass body is cemented by the cement ("the glass body according to the invention can be cemented to a wide variety of other materials"). Thus, the noted portion of column 11 merely describes that the glass body can be cemented to a steel or aluminum vehicle body. In no case does Rothe et al teach the presence of an "intermediate element" conforming to the claims and being formed of aluminum or stainless steel.

Similarly, Rothe et al provides no teaching for an intermediate element formed of a resin containing reinforcing fillers, such as glass fibers and organic fibers (Claims 15 and 16). While the Examiner alleges that Rothe et al provides this teaching, there is no description in the Office Action of where such a teaching can be found in the reference.


Finally, the Examiner alleges that "the intermediate element of Rothe et al shows the same intermediate elements as Applicant claims and provides the same tensile strength as instantly claimed." That is, the Examiner appears to be alleging that the claimed tensile strength of the dependent Claims 5-7 is inherent in light of the same intermediate element being disclosed. However, since, as has already been described, Rothe et al fails to disclose the claimed intermediate element, there is no inherency as to the tensile strength of Claims 5-7.

For the above reasons, and because these dependent claims depend from Claim 1, they are also believed to clearly define over any combination of DePaoli and Rothe et al.

Applicants therefore believe that the present application is in a condition for allowance and respectfully solicit an early Notice of Allowability.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.



Gregory J. Maier
Registration No. 25,599
Robert T. Pous
Registration No. 29,099
Attorneys of Record



22850

(703) 413-3000
Fax #: (703) 413-2220
GJM:RTP/smi

I:\atty\RTP\12470851-am2.wpd